

May 29, 2008 Minutes of Bigfork Land Use Advisory Committee

Committee members present: Phil Hanson, Darrel Coverdell, John Bourquin, Shelley Gonzales, Gary Ridderhoff, Paul Guerrant and 12 members of the public.

Chairman Bourquin called the meeting to order at 4: 00 pm. The Agenda was adopted as emailed (m/scCoverdell/Hanson). Chairman Bourquin noted the Commissioners had approved the BLUAC Bylaw changes. Secretary will send updated copies to BLUAC members. Both Bylaws and Policies and Procedures are available in electronic form for upon request.

The minutes for April 24, 2008 and May 5, 2008 were approved as emailed with the clarification that Bob Keenan did not comment at the May 5th meeting as he stated in the Bigfork Eagle article. (m/sc Gonzales/Ridderhoff).

ADMINISTRATOR'S REPORT:

A. Sign-in Sheet: Reminder to the public of the availability of BLUAC minutes through email and BSC website.

B. Application status: The Flathead County Commissioners continued the hearing of the Mildren application to June 2, 2008 at 9:30 a.m.

C. Member at Large one-year position has been posted for appointment at the June 26, 2008 meeting with deadline for letters of interest June 20, 2008.

D. BLUAC Elections: Results of the BLUAC elections are Bourquin and Ridderhoff elected to a three-year term and Gough elected to fill the 2-year term.

E. Important Dates:

Public Hearing on Planning Board interpretation of neighborhood plans **June 18, 2008, 6:00 p.m. at the Earl Bennett Building.** A copy of the Supreme Court ruling is available in pdf format by contacting Sue Hanson: btrfly@montanasky.net

County Planning and Zoning Workshop on the Bigfork Neighborhood Plan **June 25, 2008, 6:00 p.m. at the Earl Bennett Building.**

Gonzales asked members if they were clear with the request by Planning Board Chairman, Cross, exactly how they wanted the land use designations presented on the Future Growth Map. To be absolutely sure, Gonzales will call Chairman Cross or check the minutes on the County website.

APPLICATIONS:

A. County planner not in attendance. Postponed until later in the meeting.

OLD BUSINESS:

A. Sign violation status: Commissioner Brenneman stated that the County cannot move to enforce one sign violation without taking action against all signs in the County that are out of compliance. He noted that the City of Whitefish lost a court case over the issue. The county has conducted a countywide assessment of sign violations and found that many of the billboards operated by the Lamar sign company are not in compliance. The county recognizes that when they file suit it may be a protracted legal

battle. The County is confident of their position and when other pressing matters are addressed, the County will pursue this issue in the near future. Chairman Bourquin requested we mark the calendar for review in three months.

B. Village Diagonal Parking: BSC Chairman, Craig Wagner noted that there is yet no response from CFBB on their study of the proposal.

C. Compression Brake Signage: BSC Chairman, Craig Wagner, stated the additional sign is “in the works” according to his phone conversation with MDOT.

D. Meetings with County P & Z Chair, Vice-chair and Commissioner: Generally agreed it would be best to invite them to Bigfork. No date was set.

NEW BUSINESS:

A. None

INFORMAL PROJECT REVIEW:

A. Peter Leander was not in attendance for the review.

Chairman Bourquin stated the Ground Rules for conduct of BLUAC meetings and Public Comment. Copy available upon request.

APPLICATIONS:

A. A request by Dale and Irene McMurren for preliminary plat approval of Dell Subdivision, a two lot single-family residential subdivision on 32.8 acres. Lots in the subdivision are proposed to have public water and sewer systems. The property is located at 275 Coverdell Road.

Staff: Alex Hogle noted the application will not be heard until July 9, 2008 but was leaving on vacation and wanted to do the presentation. He described the subdivision to be two lots of 10 acre and 22.8-acre lot sizes. The 10-acre parcel is to be served by the Bigfork Water and Sewer District. Zoning is SAG 5. The application is still in sufficiency review; no staff report has been completed. The staff is recommending approval with information to date. Coverdell Road is paved. There is a 60-foot easement in place to the property on the north side of the subdivision. An approach to the paved road will be paved to prevent gravel traveling to the paved surface of Coverdell Road.

Gonzales: How can we make an educated decision without the staff report?

Bourquin: The application shows no response from some entities. A. These are not expected to be a problem. They still have time to submit a response.

Guerrant: I don't like the precedent of making a recommendation without more information from the Planning Office. A. It's rare for you to have a staff report. At times we do have something come up at the last minute, or concerns not previously known. It would likely be an agency response and we would add a condition to remedy that.

Gonzales: Can we make the recommendation conditional? A. There's no reason we can't make a decision on information to date.

Dale McMurren: I have nothing to add.

Gonzales: Why the 10-acre parcel when it is zoned SAG 5.

McMurren: It's ideal for a small ranch and more appealing than a 5-acre parcel.

PUBLIC COMMENT:

Sue Hanson: Is there a typographical error on the application? The total acreage in lots is stated to be 3.28 acres. A. Yes that is a typo.
Public comment closed.

Ridderhoff: I have a problem making a decision with nothing to go on by staff. I don't like the idea of us having to fit into Alex's schedule.

Hanson: I agree with Gary. What's the solution?

Staff: You have the option to postpone and I can assign another planner for your next meeting. Advisory Committees are not recognized under the law and do not need to be considered under subdivision regulations.

Bourquin: We should be making our decision independently of applications and staff reports for the benefit of the Bigfork area. Our option is to recommend approval as is, deny or postpone.

Ridderhoff: Were the neighbors notified?

Staff: I don't know, that's an administrative job. I will be on vacation from June 23, 2008 to July 3, 2008. (upon request, Hogle called the Planning Office and was told the notice to neighbors was sent 30 days in advance of the Planning Board meeting and had not been notified at this date.)

Bourquin: Asked McMurren if postponing would have any negative effects on his plans?

McMurren: No

Bourquin: My concern is that the neighbors have not been notified.

Gonzales: I want it noted that this application was well done. Montana Mapping Associates did a nice job putting this together. I move that the application be tabled until the June 26, 2008 BLLUAC meeting and after the neighbors have been notified. Guerrant seconded the motion. Motion passed unanimously.

Bourquin: Alex, will you send the staff report when completed?

Hogle: It will be completed before I leave on vacation and I can send it electronically.

John Bourquin and Gary Ridderhoff both took the Oath of Office for BLUAC.

PUBLIC COMMENT:

John Righetti: Regarding the informal project review by Peter Leander, he approached the Swan Hill road association for his project. Their main concern is SAG 10 zoning and it appears (by the marking of numerous lots on the property) the proposal has changed. We just want be aware of what is going on with this proposal. (Leander did not appear to present the proposal).

Elna Darrow: Loud compression brakes at the Streeter Corner stoplight woke me up at 6:12 a.m. this morning. Is there any enforcement?

Ridderhoff: Calling the trucking company put that to a stop today.

Sue Hanson: I can send you the name of the trucking company.

Julie Spencer: The Woods Bay sewer project has applied for a TSEP grant to install a sewer collection system and mains to connect to the Bigfork Sewer system.

PUBLIC COMMENT CLOSED

Meeting was adjourned at 5:10 p.m.

Sue Hanson

BLUAC Secretary